REMARKS/ARGUMENTS

These remarks are submitted responsive to the office action dated June 23, 2004 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due.

In paragraphs 1-7, the Examiner details a restriction asserted by the Examiner under 35 U.S.C. § 121. In response, Applicants elected Group 1 to expedite prosecution, where Group 1 includes claims 1-4. As a result of this election, claims 5-9 have been withdrawn without prejudice.

In paragraph 9 of the Office Action, the Examiner has rejected claims 1-4 under 35 U.S.C. § 101. In paragraphs 8-11 of the Office Action, the Examiner has rejected claims 1-4 under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,167,378 to Webber, Jr. (Webber).

Applicants have added dependent claims 10-19 to emphasize various disclosed aspects of the present invention. Claims 10 and 19 state the disparate systems are independently developed systems having different architectures, as supported by page 8, lines 4-6. Claim 11 states that the receiving, linking, and reporting steps are performed within a trading partner exchange, as supported by page 8, lines 2-21 at in FIG. 1. Claim 12 states that the trading partner exchange uses a unique transaction identifier, as supported by page 8, lines 2-14. Claim 13 states that the trading partner exchanges includes a status record, as supported by page 8, lines 2-21. Claim 14 states that the first and second trading partner use a trading partner order identifier to link to the unique transaction identifier, as supported by page 8, lines 9-14. Claim 15 states that a third trading partner system can update the status, as supported by page 8, lines 2-20 and FIG. 3. Claim 16 states that different access channels can be used by the first and second trading partner systems, as supported by page 8, lines 13-16. Claim 17 states that a customer can access that status of the order through an access interface, as supported by FIG. 1, item 40 and page 9, lines 5-8. Claim 18 states that the access interface can provide a plurality of access channels, as supported by FIG. 1, item 40, page 8, lines 16-20, and page 9, lines 5-8.

No new matter has been added as a result of these amendments.

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Prior to addressing the rejections on the art, a brief review of the Applicants' invention is in order. Applicants disclose a method for creating an exposing order status within a supply chain of trading partners (such as a customer, retailer, distributor, shipper, and manufacture) having disparate computing systems. The disclosed method permits customers to contact a trading partner exchange through any one of a variety of available communication channels (phone, Web, email) to determine the status of a particular order.

More specifically, the trading partner exchange can represent an order as a transaction. The transaction can maintain a status for the order from the placing of an order until the time the product is delivered to a requesting customer. When the status of the order is changed within a computer system of a trading partner, the computer system can contact the trading partner exchange and update the order status contained in the trading partner exchange.

The trading partner exchange can maintain a link between the internally stored order and order status and a corresponding key field within each of the trading partner systems. This link can indicate the format in which the order status is to be presented to each trading partner and the format in which updates are received from each trading partner. When the status of the order is changed within a computer system of any of the trading partners, the computer system can contact the trading partner exchange and update the order status contained in the trading partner exchange. Additionally, each trading partner can contract the trading partner exchange to request an order status and the trading partner exchange can respond to the request in an appropriate format for the requestor.

It should be further noted that it can be difficult to conventionally determine the status of an order when different ones of the trading partners use different, and often incompatible computing systems, as noted on page 4, lines 3-13. This complication is increased when different channels of communication (like phone, Web etc.) are needed to determine order status for different ones of the trading partners, as noted on page 4, lines 3-13. Applicants' claimed and disclosed subject matter provides a solution to alleviate this problem.

Turning to Webber, Webber teaches a method and system for automating a transaction space based on a digital contract. The contract can reside at a central system and can be used to control the workflow for a transaction. Webber's method is based on tightly integrating the

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transaction space by forcing all participants to communicate through a common contract definition that is managed and controlled by the central authority. The contract puts stringent restrictions upon the participants as shown by computing module 262 and forces a significant amount of data to be stored in a central system.

Thus, the digital of Webber cannot be implemented by disparate trading partner system without significant, expensive software modifications to each of the systems. Venders attempting to follow the teachings of Webber, may be just as well off utilizing a single, joint, monolithic system (which from a business perspective would be difficult to sell to the various trading partners) instead of their own, unique system, which have trouble communicating (which problem is solved by the Applicants' claimed and disclosed method).

Consequently, a fundamental difference between the Applicants' claimed and disclosed subject matter is the manner in which trading partners are integrated. Webber requires all trading partners to communicate through a common contract format managed by a central authority, which puts significant constraints upon the systems used by the trading partners. In contrast, Applicants teach a trading partner exchange that does not require each trading partner to adapt their system to the specific needs of a central authority. That is, Applicants provide a solution that adapts to the needs of the systems used by various trading partners, while Webber requires trading partners to adapt their systems to the needs of a central authority.

Referring to the utility rejections, the Examiner rejected claims 1-4 under 35 U.S.C. § 101 for not having statutory subject matter. This rejection contradicts the Examiner's previously assertion that claims 1-4 are classified in class 705, subclass 26 (asserted with the Restriction in paragraph 1 of the Office Action). Within class 705, subclass 26, the Applicants teach a method for gathering order status information from different computing systems, each system associated with a trading partner.

As to the second prong, the claimed invention produces a useful, concrete, and tangible result. The claimed and disclosed subject matter is useful to permit an authorized requestor to determine an order status for a product. The order status provided to the requestor can be updated by a plurality of disparate supply chain computer systems, such as the first trading partner system and the second trading partner system, as the status within each of these disparate

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supply chain computer systems changes. Accordingly, Applicants claim an invention within the technological arts that produces a useful, concrete, and tangible result. Consequently, Applicants respectfully request the withdrawal of the 35 U.S.C. § 101 rejection to claims 1-4.

Referring to the anticipation rejection, the Examiner rejected claims 1-4 under 35 U.S.C. § 102(b) as being anticipated by Webber. Webber fails to disclose linking an order status (claim 1) and fails to disclose linking an identifier identifying an activity status (claim 4).

For this limitation the Examiner has cited item 101 of FIG. 3 illustrating a "trigger" and described at column 13, lines 50-53 as "FIG. 3 is a flow diagram illustrating the flow of action taken after a trigger event occurs at step 101". At step 101, a link is created to the "pathway". The pathway is not defined as an order status. Since Webber fails to teach each limitation of the Applicants claimed invention, the 35 U.S.C. § 102(b) rejections to claims 1-4 should be withdrawn, which action is respectfully requested.

Applicants note that the claimed invention and the invention of Webber are significantly different, as detailed above. Applicants also note that in providing the rejections within the Office Action, the Examiner failed to associate each of the Applicants' claimed limitations with teachings of Webber. Instead, the Examiner stated sections of Webber without detailing how the stated sections correspond to the Applicants claims. This correspondence was not apparent to the Applicants. Nevertheless, Applicants have attempted to respond to the Examiners rejections in a straight forward manner showing how the teachings of Webber differ from the Applicants' claims. Applicants respectfully request that the Examiner more explicitly provide a correspondence in future office actions should any be forthcoming, so that the Applicants can fully address any and all of the Examiner's concerns.
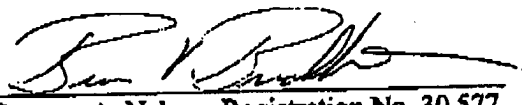
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     Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. The Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this response, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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